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## TRANSMITTAL FORM

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Total Number of Pages in This Submission

|                        |                         |
|------------------------|-------------------------|
| Application Number     | 10/730,021              |
| Filing Date            | December 9, 2003        |
| First Named Inventor   | Andreas Obrebski et al. |
| Art Unit               | 2872                    |
| Examiner Name          | Thong Q. Nguyen         |
| Attorney Docket Number | 0902-009                |

JRW

SEP 27 2005

### ENCLOSURES (Check all that apply)

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| <input type="checkbox"/> Fee Transmittal Form   | <input type="checkbox"/> Drawing(s)                                       | <input type="checkbox"/> After Allowance Communication to TC                            |
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### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|              |                            |          |        |
|--------------|----------------------------|----------|--------|
| Firm Name    | Potomac Patent Group, PLLC |          |        |
| Signature    |                            |          |        |
| Printed name | Steven M. duBois           |          |        |
| Date         | September 26, 2005         | Reg. No. | 35,023 |

### CERTIFICATE OF TRANSMISSION/MAILING

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| Signature             |                  |      |                    |
| Typed or printed name | Steven M. duBois | Date | September 26, 2005 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Patent  
Attorney's Docket No. 0902-009

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of )  
Andreas Obrebski et al. ) Group Art Unit: 2872  
Application No.: 10/730,021 ) Examiner: Thong Q. Nguyen  
Filed: December 9, 2003 )  
For: SURGICAL MICROSCOPY )  
SYSTEM )

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

Commissioner for Patents  
Alexandria, VA 22313-1450

Sir:

In complete response to the Notice of Non-Compliant Amendment dated September 20, 2005, attached hereto is a correct listing of the claims.